

UNITED STATES DISTRICT COURT

NORTHERN

DISTRICT OF

ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

FILED

Jul 28 2008
JUL 28 2008

MAGISTRATE JUDGE COX

CRIMINAL COMPLAINT

MANUEL CAZARES PRECIADO,
Defendant.MAGISTRATE JUDGE SUSAN E. COX
UNITED STATES DISTRICT COURT

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I, Francisco Trevino, the undersigned complainant, being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 14, 2008, in Lake County, in the Northern District of Illinois, Eastern Division, defendant MANUEL CAZARES PRECIADO, an alien who had been arrested and then deported and removed from the United States on or about November 21, 2003, which deportation and removal were subsequent to a conviction for an aggravated felony as defined by 8 U.S.C. § 1101(a)(43), was found in the United States without having previously obtained the express consent of the Attorney General or Secretary of Homeland Security to reapply for admission into the United States; in violation of Title 8 United States Code, Sections 1326(a) & 1326(b)(2).

I further state that I am a Deportation Officer with the U.S. Department of Homeland Security, Border and Transportation Security Directorate, U.S. Immigration and Customs Enforcement, and that this complaint is based on the following facts: (See Attached.)

Continued on the attached sheet and made a part hereof: X Yes No


FRANCISCO TREVINO, Deportation Officer
Signature of Complainant

Sworn to before me and subscribed in my presence,

July 28, 2008
Date

Chicago, Illinois
City and State

Honorable SUSAN E. COX, U.S. Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Francisco Trevino, being duly sworn, state as follows:

1. I am a Deportation Officer with the United States Department of Homeland Security, Border and Transportation Security Directorate, U.S. Immigration and Customs Enforcement (ICE). I have been employed by this agency, or the legacy Immigration and Naturalization Service (INS), for more than seven (7) years. I am currently assigned to the Chicago, Illinois ICE Office.

2. In my employment, I am assigned to investigate alleged violations of the Immigration and Nationality Act, including activities which constitute the illegal re-entry of aliens into the United States after such aliens have previously been lawfully deported from the United States.

3. I make this affidavit from personal knowledge based upon my participation in this investigation, review of immigration records review, review of court records and review of the reports from my agency's files. I submit this affidavit for the limited purpose of establishing probable cause in support of a criminal complaint against MANUEL CAZARES PRECIADO. This affidavit does not contain all details or all facts of which I am aware relating to this investigation.


4. The defendant, MANUEL CAZARES PRECIADO, is a citizen of Mexico who is not a legal permanent resident or a citizen of the United States.

5. I have reviewed the ICE service file for MANUEL CAZARES PRECIADO, alien registration number A78-867-126. CAZARES PRECIADO was deported on November 21, 2003, following a conviction for an aggravated felony, namely, Criminal Sexual Assault, in violation of 720 ILCS 5.0/12-13(A)(3). CAZARES PRECIADO was convicted of this offense on or about January 7, 2003, in the Circuit Court of Cook County Illinois. CAZARES PRECIADO was sentenced to 4 years of imprisonment.

6. On or about July 14, 2008, the Highland Park Police Department found CAZARES PRECIADO present in the United States, here in the Northern District of Illinois. The CAZARES PRECIADO file contains no evidence that he applied for or received the express consent of the Attorney General or Secretary of Homeland Security for reapplication for admission into the United States.

7. On July 24, 2008 fingerprints of CAZARES PRECIADO were submitted into the ICE IDENT system. The fingerprints match those fingerprints taken during his deportation and removal proceedings on or about November of 2003 which resulted with his removal to Mexico on November 21, 2003.

FURTHER AFFIANT SAYETH NOT



FRANCISCO TREVINO
Deportation Officer
U.S. Immigration and Customs Enforcement

Subscribed and sworn to before me
on this 26th day of July, 2008.



SUSAN E. COX
U.S. Magistrate Judge

